

**CITY OF LODI  
INFORMAL INFORMATIONAL MEETING  
"SHIRTSLEEVE" SESSION  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, JULY 13, 2004**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, July 13, 2004, commencing at 7:02 a.m.

**A. ROLL CALL**

Present: Council Members – Beckman, Hitchcock, Howard, Land, and Mayor Hansen

Absent: Council Members – None

Also Present: City Manager Flynn, Interim City Attorney Schwabauer, and City Clerk Blackston

**B. CITY COUNCIL CALENDAR UPDATE**

City Clerk Blackston reviewed the weekly calendar (filed).

**C. TOPIC(S)**

**C-1 "Stockton General Plan and Sphere of Influence"**

Community Development Director Bartlam reviewed the City of Stockton Issues and Alternatives summary related to its general plan update and a draft land use diagram (both filed). He reported that the entire plan concept is for a 50 year period in which Stockton anticipates reaching a population of 750,000. He believed that growth would first occur in the area south of Lodi's White Slough property, where an urban village of 50,000 people is planned. He expressed concern regarding the incompatibility of Stockton's proposal to Lodi's ultimate plan for the White Slough property. He reported that Stockton has taken recent actions to amend its sphere of influence ahead of its general plan update effort, which he believed was a clear path to ultimately annexing the property. The Shima Tract, located west of Stockton toward the Delta, is proposed by the Grupe Company. The Spanos development is comprised of several thousand acres. The Alpine packing company has 340 acres along Eight Mile Road.

In reply to Council inquiries, Mr. Bartlam reported that Stockton proposes to build a pipe to the Delta to pick up water, transport it to its treatment facility, and return the treated water back into its domestic system. Stockton's intake pipe would be just south of Lodi's outtake pipe and there is concern that its water quality could be affected by Lodi's discharge. In addition, Mr. Bartlam expressed concern that there was no plan for a buffer between the development and the White Slough property. This could precipitate complaints driven by Stockton or the State, and Lodi may be forced to make changes. He stated that staff would be moving forward in direct opposition to Stockton's environmental document. He estimated that in a month, Lodi's White Slough sphere of influence proposal would be brought before Council.

Discussion ensued regarding three initiatives that would be on Stockton's ballot for the November Election.

**PUBLIC COMMENTS:**

- Bob Lauchland stated that he was a property owner between Lodi and Stockton and is the farthest east and to the south that the City of Lodi extends for its sewer treatment plant expansion. Mr. Lauchland stated that his property is greatly affected by this decision. He urged Council to consider the impacts of what this would do to vineyard properties.
- Tim Howard believed that this matter was a direct threat on the City of Lodi's integrity. He stated that Lodi's wastewater treatment plant is a resource that is being suffocated by upcoming developments from the south. A negative declaration has been proposed; however, an environmental impact report should be done. The proposed development is on 5,000 acres of prime agricultural land.

Interim City Attorney Schwabauer explained that the mechanism Stockton is trying to achieve is to increase its sphere of influence and then enter into a pre-development agreement. It has already begun negotiating with developers that are intended to vest a right to develop the ground without vesting the right to develop it in a particular way. Once vested, the initiative can no longer take the development right away.

In reply to Mayor Hansen, Mr. Bartlam stated that the comment letter Stockton prepared to the environmental document Lodi prepared on the sphere of influence specifically outlined a concern Stockton had about the White Slough facility. The land use compatibility conflicts with Stockton's preferred general plan. This was mentioned in a letter staff prepared last week pointing out that Stockton itself said an impact existed by developing the land, so they should be considering the proper environmental process. Mr. Bartlam explained that complaints would come through the State and back down through the permitting process. The issue of Lodi's discharge pipe in relation to Stockton's intake pipe within the same body of water would come through a regulatory environment through the State.

Mr. Schwabauer interjected that there is a concept in the law called "coming to the nuisance"; however, it is not as strong as it once was.

Council Member Howard encouraged citizens to call members of the Local Agency Formation Commission to voice their concerns.

Council Member Land asked if there was any potential for a government agency proclaiming eminent domain over Lodi's water treatment plant for a wider regional use.

Mr. Schwabauer replied that Stockton could not do so; however, a larger governmental agency could.

Mayor Hansen asserted that Lodi needs to take whatever action is necessary to protect its rights and investments.

**D. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS**

None.

**E. ADJOURNMENT**

No action was taken by the City Council. The meeting was adjourned at 7:56 a.m.

ATTEST:

Susan J. Blackston  
City Clerk